

Exhibit “H” to Amended Verified Petition

EMILIO D. GIRONDA, JR.

Attorney At Law
252 North Plank Road
Newburgh, N.Y. 12550
(914) 565-5770

June 29, 1988

William J. Kelly, Jr.
Planning Board Chairperson
Town Hall
74 Main Street
Walden, New York 12586

Re: Mehlon Trucking/Kings Hill Road

Dear Mr. Kelly:

Please be advised that this office represents Mehlon Trucking in their revised application concerning their shale bank on Kings Hill Road in your Town.

It is my job to ensure cooperation with any local laws that may apply. My clients have asked me to express their intention to do all that is required of them in this effort.

It is my understanding that this land has been mined for nearly 30 years. My clients have been mining there under DEC permit from 1983 to 1986, when the permit expired.

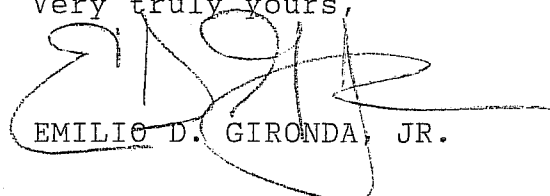
It is unclear to me exactly what action is required of my clients to conform them with your Local Law. Weharn Engineering of Middletown, who have done all of our work with the DEC, will be submitting to them shortly. We would like to submit to whatever you require before that time.

I have arranged for a copy of maps showing the mine as it exists today and our plans for the future to be sent to you.

Please advise what future information will be required at your earliest convenience.

Thank you for your time and anticipated cooperation.

Very truly yours,


EMILIO D. GIRONDA, JR.

/edg

*7-6-88 - Received - Cache
Copy sent to Bill - Rick*